



Project Development Phase II Workbook

Maine Community Development Block Grant Program

CDBG

"A Star on Maine's Development Horizon"



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Project Development Checklist

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Step One: Getting Organized

Congratulations!

Your community was selected and invited to further develop and implement your CDBG project.

This workbook will guide you through all required steps of the Project Development Phase. Your community has **six months** from the date of your award announcement date to complete all tasks outlined in this workbook, submit everything for approval, and execute a grant contract with the Office of Community Development (OCD).

To assist in the process, a Project Development Specialist (PDS) from (OCD) has been assigned to work with your community. Your PDS will guide you through the process, review your completed submittal and follow your community through the life of your grant.

Getting Organized

On page 2, the **Project Development Checklist** summarizes all required tasks and documents to be submitted with your Project Development package. Some of these may not apply to your particular project – program specific tasks are noted. The page numbers on the checklist refer to pages in the workbook associated with tasks and documents.

Things to Remember

- Consultant services – If your community is hiring private consultant services paid for by CDBG funds, these must be procured through a competitive process.
- Recent CDBG Grants – If your community recently received or completed another CDBG program, some of the documents may be reused for your current project.
- Do not expend any project funds – CDBG or otherwise – until you have completed your Project Development Phase and have an executed contract with OCD. Your community cannot be reimbursed for costs incurred prior to completing the Project Development Phase and receiving Environmental Review Clearance.



Step Two: The Community Development Advisory Committee

Each community receiving Community Development Block Grant (CDBG) funds must form a community development advisory committee (CDAC) to oversee and guide their project through its planning and implementation stages. The committee acts as an arm of the municipality and is formally created and appointed by the community's governing body.

Roles for the CDAC

The CDAC performs several functions:

- **Project manager** – making sure the project is completed in a satisfactory and timely fashion
- **Selection of consultants and/or contractors** – including developing requests for proposals
- **Compliance with CDBG regulations** – ensuring that all paperwork, drawdowns, quarterly reports and other requirements are met in an accurate and timely fashion. This often includes coordinating and completing Project Development documentation.
- **Community input** – organizing opportunities for the public to be involved in the projects.
- **Public relations** – organizing and publicizing the project and its progress.
- **Handling complaints** – developing and implementing a policy for hearing and resolving complaints about the project. (See the Policy Statement #13 on Handling Complaints following this section)

Who to appoint

Selecting members of the community to serve on the committee is very important. The community should contain representatives of the various stakeholders in your project, **ESPECIALLY** residents of your target area or individuals who may use the services you will support with CDBG funds. This will help the CDAC structure a program that truly meets the needs of the target group.

Possible Committee Members (submit actual list with your Project Development package)

Committee Member	Affiliation



Department
Of
Economic and Community Development
111 Sewall Street, 3rd Floor
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Augusta, Maine 04333

POLICY STATEMENT #13

Subject: ***CDBG Program Complaint Policy***

Revised: **02/00**

During the implementation of a CDBG project, the Office of Community Development (OCD) is available to assist the community in completing the project and complying with Federal and state regulations. The CDBG Program awards funds to communities who in turn must create local guidelines to implement their programs. Communities are also responsible for local program administration.

It is the policy of the OCD that each community establish its own procedure for handling complaints about the implementation of its program. If caught early, most complaints are easily resolved and require minimal action. Because the local program administrator is most familiar with local needs, the guidelines of the community program and its implementation, every attempt should be made to resolve a complaint at the local level. Local community development staff should attempt to resolve complaints by utilizing a policy adopted by the community development program or by the municipality. OCD staff will be happy to provide guidance and advice **but will not resolve local disputes**. The role of the OCD is to ensure that the local procedure has been fairly and appropriately followed, and that it is consistent with Federal and state requirements.

At the time of a complaint, the local community development staff or CDBG administrator should share a copy of the CDBG Guidelines with the complainant. If the community does not have a set of guidelines, the individual could be provided with a copy of the project application to learn more about the project and its goals.

Local community development staff or the CDBG administrator will use the following complaint process:

1. Request that all complaints be submitted in writing to the **local** community development office.
2. The local CDBG program administrator should respond in writing within a specified time frame. If the response is not satisfactory, the complainant should request in writing that the complaint be forwarded to the Chief Executive Officer of the community. The CEO would then respond in writing within a specified time frame.

3. If the complainant remains unsatisfied with the local resolution, they may contact the Office of Community Development CDBG Program Manager. The CDBG Program Manager may request that the complainant forward the written complaint and copies of all correspondence pertaining to the complaint to the OCD.

It is the policy of the OCD and the CDBG Program Manager **not to interfere with the decisions reached by a community that is in keeping with the CDBG regulations.** The OCD review will ensure that the process has been fair and consistent with program regulations (local, federal and state). However, the decision of the Program Manager whether in favor with the community, the complainant or a compromise, will be final.

Step Three: Meeting A National Objective

The CDBG Program has its roots in the urban renewal and anti-poverty programs of the 1960s. During the 1970s, these programs were combined into the CDBG Program. The CDBG Program requires that the grant funds be used to accomplish certain public policy objectives that reflect its origins. These “national objectives” are:

- Projects primarily benefiting low and moderate income (LMI) persons
- Projects aiding in the prevention or elimination of slums or blighting conditions (S/B)
- Projects eliminating conditions that pose a serious and immediate threat to health and safety.

All CDBG-funded projects must meet one of these national objectives. In cases of town-wide or target area activities, your community has already demonstrated that your project meets a national objective by conducting an income survey of your town or target area, utilizing current Census data, or by having a Declaration of Slum and Blight officially adopted by your local legislative body. This documentation was submitted and approved by OCD during the application process.

Other programs including housing, economic development and public service will require your grant administrator to verify the income of citizens benefiting from your program and demonstrate to OCD that a national objective is met.

All CDBG programs must keep a record of benefit recipients using a benefit data system. These records must be submitted to OCD as follows:

Public Facilities & Public Infrastructure – A completed Beneficiary Profile must be submitted during the Project Development Phase prior to signing a CDBG contract. The Beneficiary Profile is a summary of demographic information for all households contained in a target area or entire community depending upon the area served by the CDBG activity. The demographic information is garnered from local survey forms or, for HUD listed 51% LMI communities, from U.S. Census Data. You may access this data for your community online at:

<http://www.census.gov/prod/cen2000/dp1/2kh23.pdf>

Housing, Economic Development & Public Service – A completed Benefit Data System must be submitted at the time of grant closeout. The Benefit Data System information is a summary of all the beneficiary survey forms completed during the CDBG program.

CDBG Policy Statement #14, containing the Guidelines for meeting the National Objectives of the CDBG program, the Beneficiary Profile, program specific Benefit Data Systems and 2002 HUD Income Limits is contained in this section.



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POLICY STATEMENT #14

Subject: ***CDBG Benefit Data Systems & National Objectives***

Revised: 02/00

The following outlines activity data and tracking requirements for Maine CDBG Program grant recipients. The benefit tracking system summarizes the household, race, gender and income data for beneficiaries of CDBG programs which is reported to HUD.

Housing Assistance Grantees

Communities with housing rehabilitation programs must maintain specific data on all program applicants for rehabilitation assistance whether they actually receive benefits or not. Sample forms for both single-family owner occupied units and tenant occupied units are attached. All grantees rehabilitating these two types of housing units must use both forms as needed. Staff from this office will look for up-to-date and complete forms during monitoring visits.

Documentation by Housing Type

Single-Family Owner Occupied Units - The Housing Rehabilitation Benefit Data System must be maintained and include information for all households applying for rehabilitation assistance. This information is the minimum amount to demonstrate compliance with program benefit and civil rights requirements. The Civil Rights Technical Assistance Handbook serves as a guide to the CDBG civil rights requirements.

Tenant Occupied Units - The grantee must prepare a Project Occupancy List and include information for all households residing in rental units applying for rehabilitation assistance. This form provides data for compliance with program benefit and civil rights requirements as well as tracking tenants living in the assisted building before and after rehabilitation begins or those who might move in as the work progresses. This tracking includes data on monthly rental payments, dates of notices sent to tenants concerning displacement, information on temporary relocation payments and notification dates to tenants of any rental increases during rehabilitation. The purpose of this tracking is to determine if any tenants are displaced due to the rehabilitation activities and therefore eligible for relocation assistance. As a result of recent changes to the Uniform Act and the Community Development Act, all grantees must be aware of the procedures to properly identify displacement and, if it occurs, to provide the proper benefit as required under the Uniform Act or Section 104(d) of the Housing and Community Development Act of 1974, as amended. Those communities displacing residents should

request HUD Handbook 1378, which outlines the Uniform Act and Section 104(d). If you have any questions about these requirements, the Housing Rehabilitation Benefit Data System or Project Occupancy List, please contact your assigned Project Development Specialist at the Office of Community Development.

SPECIAL REQUIREMENTS FOR RENTAL REHABILITATION

In accordance with Section 104(d) of the Housing and Community Development Act of 1974, as amended special measures must be taken to notify tenants, in units that may be rehabilitated, of their status concerning potential displacement.

STEP 1: Each affected tenant must receive a written notice of their status after an application for rental rehabilitation assistance is submitted. A sample of this written notice titled, Guideform General Information Notice - Residential Tenant That Will Not be Displaced, is attached.

This notice states that the rehabilitation should not cause displacement and that the tenant will not be required to relocate. It further states that in the event that the tenant must relocate temporarily, suitable housing will be provided to the tenant by the grantee and that the tenant will be reimbursed for all reasonable extra expenses including moving costs and increases in other housing.

STEP 2: Once the application has been approved but before rehabilitation begins, each affected tenant must receive an additional notice that verifies that the tenant will in fact not be displaced. A sample notification titled, Guideform Notice of Nondisplacement to Residential Tenant, is attached. This notice outlines the tenant's rights and the grantee obligations.

Special Consideration:

If the grantee is considering acquiring a building that contains rental units, the above process is not acceptable. All acquisitions must adhere to the policies and procedures outlined by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). For further information on Acquisition/Relocation contact your assigned Project Development Specialist at the Office of Community Development.

PUBLIC FACILITIES & PUBLIC INFRASTRUCTURE PROGRAMS

Communities implementing Public Facilities and Public Infrastructure programs must record demographic information for all households contained in a target area or entire community depending upon the area served by the CDBG activity. This information must be recorded on the **Beneficiary Profile** and be submitted with the survey materials required at the CDBG application submission. The demographic information is garnered from local survey forms or, for HUD listed 51% LMI communities, from U.S. Census Data. You may access this data for your community online at <http://www.census.gov/prod/cen2000/dp1/2kh23.pdf>

PUBLIC SERVICE PROGRAM

Communities with public services programs must maintain specific data on persons receiving benefit from activities using CDBG funds. A sample form is included. The Office of Community Development will look for up-to-date and complete forms during monitoring visits.

Information: The Public Services Benefit Data System must be maintained and include information for the households of everyone receiving the public service assistance. This

information is the minimum amount required to show compliance with program benefit and civil rights requirements. The Civil Rights Technical Assistance Handbook serves as a guide to the CDBG civil rights requirements.

ECONOMIC DEVELOPMENT PROGRAMS (JOB CREATION/RETENTION)

Meeting a CDBG National Objective

Communities receiving CDBG funds for economic development activities must meet the CDBG program national objective of providing a benefit to persons from low and moderate-income households (LMI). Communities must also gather and maintain certain required civil rights information. Program benefit is either the creation, or retention of jobs, taken by, or made available to low and moderate-income persons. To meet this objective, the businesses receiving assistance from the community for economic development activities must show, through income verification survey forms and documentation, that 51% of the jobs created or retained through the use of CDBG funds are taken by or were made available to LMI persons whose family income for the 12 month period prior to being hired was at or below the LMI limit. **In addition, a minimum 30% sampling of survey forms claiming LMI income status must be verified by income documentation consisting of tax returns, pay stubs, etc.**

Communities that have provided assistance to businesses that do not meet the 51% job target must pay back the full amount of the CDBG funds received.

Job Documentation – Job Creation Projects

Communities using job creation to meet a CDBG national objective must provide documentation from the assisted business that 51% of the jobs as result of the CDBG funded activities are either taken by or were made available to LMI persons.

To meet the “taken by” standard, the assisted business must survey all workers hired as a result of the CDBG assistance to determine their household size and their annual household income. If 51% of the workers hired meet the income eligibility requirements for the business’ location, the business will have met program benefit requirement. Generally businesses will have two (2) years from CDBG funded project completion to meet this goal. However, this time period may be negotiated at the time of grant award at the discretion of the Office of Community Development. All income verification documentation must be maintained on file at the community office and at the business. If the community does not provide documentation that the assisted business has reached this goal within the designated time period, the full amount of the CDBG award must be returned to the Office of Community Development.

Job Documentation – Job Retention Projects

Communities using job retention to meet a CDBG national objective must provide documentation from the assisted business that 51% of the jobs retained as a result of the CDBG funded activities are held by low and moderate-income persons. In addition, they must demonstrate through public means that, but for the CDBG assistance, the jobs would be lost. Letters to employees announcing layoffs, public declarations such as meeting announcements and through media reports may meet this.

To meet these standards, the assisted business must survey all workers in the jobs retained as a result of the CDBG funded activities to determine their household size and their annual household income. If 51% of the workers in those positions meet the income eligibility requirements for the business’ location, the business will be deemed to have met benefit. Each worker occupying a retained position must complete income verification documentation to

ensure that they fit into the income limit for the business' location. All income surveys must be maintained on file at the community office and at the business.

If the income documentation reveals that individuals hold less than 51% of the retained jobs from low and moderate-income households, the business must achieve this goal within two years through replacement of workers during normal employee turnover. However, this time period may be negotiated at the time of grant award at the discretion of the Office of Community Development. If the community does not provide documentation that the assisted business has reached this goal within the designated time period, the full amount of the CDBG award must be returned to the Office of Community Development.

Documentation Requirements

All documents collected to demonstrate that a CDBG national objective has been met must be kept on file at the community and at the business. These documents and the information thereon are strictly confidential and must be protected from public access.

Written Agreement Requirement

Communities participating in CDBG funded economic development programs must have a written agreement assigning responsibility for CDBG job creation/retention requirements to the recipient business. The OCD strongly recommends that this agreement include a statement assigning responsibility for repayment of CDBG funds if the job goal is not met to the recipient business. If the community chooses not to assign this financial responsibility to the recipient business, please remember that the special conditions section of the contract between the DECD and the community will require the community to repay the CDBG funds if the job goal is not met. In either case, the agreement must be approved by the OCD prior to any disbursement of funds.

SLUM AND BLIGHT

A definition of a slum and blighted area can be found in the MRSA Title 30-A, Chapter 205, 5202. The following definition of a blighted area will serve as a starting point in determining if the proposed area in your community may qualify under this national objective.

- A. An area in which there is a predominance of buildings or improvements which are conducive to ill health, the transmission of disease, infant mortality, juvenile delinquency or crime and are detrimental to the public health, safety, morals or welfare because of:** 1) Dilapidation, deterioration, age or obsolescence; 2) inadequate provision of ventilation, light, air, sanitation or open spaces; 3) high density of population or overcrowding; 4) the existence of conditions which endanger life or property by fire and other causes; or 5) any combination of these factors.
- B. An area which is a menace to the public health, safety, morals, or welfare in its present condition because of:** 1) the predominance of inadequate street layout, unsanitary or unsafe conditions; 2) tax or special assessment delinquency exceeding the fair value of the land; 3) the existence of conditions which endanger life or property by fire and other causes; or 4) any combination of these factors.

The important thing to remember is that it is necessary to target an **area** to meet this national objective. This area must be defined by the applicant and shown to have contiguous boundaries and interrelated problems causing the **entire area** to be blighted.

In addition to the state definition of blighted area, the HUD rules for CDBG Program activities defines further what conditions must exist for an area to be considered blighted. These conditions are: 1) the local area meets the definition of a blighted area under state or local law;

2) throughout the blighted area there is a **substantial** number of deteriorating buildings or the public improvements are in a **general** state of deterioration; 3) the CDBG activities will address one or more of the conditions which contributed to the deterioration of the area; and 4) records are retained that sufficiently document that a project meets the national objective of addressing slums and blight on an area-wide basis.

Your community must take into consideration **both** the state and CDBG requirements when qualifying a slums/blight area-wide project. First, you should review the State Statute above to make sure the area in question is applicable. Then you should apply the HUD Condition (B) related to **buildings** or **public improvements**. In the case of public improvements, it is insufficient for only one type of public improvement to be in a state of deterioration, the public improvements **taken, as a whole** must **clearly exhibit signs of deterioration**. If both the state and HUD requirements seem to apply to your potential CDBG project, the following process should occur with **all materials sent to OCD as part of your Project Development submissions**.

REQUIRED DOCUMENTATION

1. Written descriptions of the conditions, which you feel, qualify the area at the time of its designation. This description must be in sufficient detail to demonstrate how the area met all criteria. Also included must be the method by which the area was identified and delineated.
2. Support documentation that details the specific conditions that exist in the designated area. This documentation can include, but is not limited to, structural analysis of buildings, engineering studies, local code enforcement officials, planning board actions, public health and safety concerns, and actions taken by other state or local authorities.
3. A detailed map outlining the designated blighted area.
4. A Declaration of Slum and Blight enacted by the legislative body of your community. A sample copy of a Declaration of Slum and Blight is attached.

URGENT NEED

To comply with the national objective of meeting community development needs having a particular urgency, an activity must be designed to alleviate existing conditions which the grantee certifies: 1) pose a serious and immediate threat to the health or welfare of the community; 2) are of recent origin or recently became urgent meaning within 18 months preceding the application; 3) the grantee is unable to finance the activity on its own, and 4) other resources of funding are not available to carry out the activity.

REQUIRED DOCUMENTATION

1. A description of the condition that was addressed, showing the nature and degree of seriousness of the threat it posed;
2. Evidence that the grantee certified that the CDBG activity was designed to address the urgent need;
3. Information on the timing of the development of the serious conditions; and
4. Evidence confirming that other financial resources to alleviate the need were not available.

BENEFICIARY PROFILE — (PI and PF Programs)

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

1. Community: _____

2. Name of Target Area: _____ (If community-wide, state "same as above")

3. Description of Target Area: _____

4. POPULATION

a. Total Population _____

b. Total Low/Moderate Income Persons _____

c. Total Non-Low/Moderate Income Persons _____

d. Total % Low/Moderate Income Persons _____

5. RACE (INDICATE TOTALS)

a. White _____

b. Black/African American _____

c. Asian _____

d. Native Hawaiian/Other Pacific Islander _____

e. American Indian/Alaskan Native _____

f. Asian & White _____

g. Am Indian/Alaskan Native & White _____

h. Black/African American & White _____

i. American Indian/Alaskan Native & Black/African American _____

6. HOUSEHOLD INFORMATION

a. Total Number of Elderly _____

b. Total Number of Severely Disabled _____

c. Total Female Heads of Households _____

Date Submitted: _____

Authorized Signature: _____

Title: _____

Instructions for completing the Beneficiary Profile

Line 1	State name of community.
Line 2	Give name of target area; state "same as above if community-wide.
Line 3	Give a brief description of target area.
Line 4a	In regard to a target area; use the survey results to determine the total population in the service area. In regard to the entire Town or City being the target area, use the latest census information.
Line 3b	In regard to a target area; use the survey results to determine the total number of Low/Moderate Income persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 3c	In regard to a target area; use the survey results to determine the total number of Non-Low/Moderate Income persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 3d	In regard to a target area; use the survey results to determine the total percent of Low/Moderate Income persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5a	In regard to a target area; use the survey results to determine the total number of White, not Hispanic persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5b	In regard to a target area; use the survey results to determine the total number of Black/African American persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5c	In regard to a target area; use the survey results to determine the total number of Asian persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5d	In regard to a target area; use the survey results to determine the total number of Native Hawaiian/Other Pacific Islander persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5e	In regard to a target area; use the survey results to determine the total number of American Indian/Alaskan Native in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5f	In regard to a target area; use the survey results to determine the total number of Asian & White persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5g	In regard to a target area; use the survey results to determine the total number of American Indian/Alaskan Native & White persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5h	In regard to a target area; use the survey results to determine the total number of Black/African American @ White persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 5i	In regard to a target area; use the survey results to determine the total number of American Indian/Alaskan Native & Black/African American persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 6a	In regard to a target area; use the survey results to determine the total number of Elderly persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 6b	In regard to a target area; use the survey results to determine the total number of severely disabled persons in the service area. In regard to the entire Town/City being the target area, use the latest census information.
Line 6c	In regard to a target area; use the survey results to determine the total number of Female Heads of Households in the service area. In regard to the entire Town/City being the target area, use the latest census information.

HOUSING REHABILITATION BENEFIT DATA SYSTEM
(Single-Family Owner-Occupant)

Applicant Name/number	Unit Address	Family size	LMI (Y/N)	Demographic Codes (w/Number)*	Application Date	Service Provided	CDBG Funds	Other Funds	Total Funds	Grant/ Loan	Work Completed
(SAMPLE) R. J./ # HA 001	25 Elm St.	4	Yes	4W, 2E, 1F, 1D	10/15/00	Rehab	\$7250	\$1000	\$8250	Grant	11/30/00
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*** Demographic Codes:**

(Insert codes after applicable number of household members - i.e. 4W)

W = White A = Asian E = Elderly F = Female B = Black/African American AI = American Indian/Alaskan Native

D = Severely disabled FH = Female Head of Household NH = Native Hawaiian/Other Pacific Islander

AW = Asian & White AIW = American Indian/Alaskan Native & White BW = Black/African American & White

AIB = American Indian/Alaskan Native & Black/African American

HOUSING REHABILITATION PROJECT OCCUPANCY BENEFIT DATA SYSTEM

(Tenant/Multi-Family Occupancy)

Unit Address	Family Name/ File No.	Family size	LMI	Demographic Code* (w/ Numbers)	Application Date	Type of Work	CDBG Funds	Other Funds	Total Funds	Grant/ Loan	Tenant Before Rehab	Tenant After Rehab	Monthly Rent Before Rehab	Monthly Rent After Rehab	Date of Displacement Notice
(SAMPLE) 12 Elm Street Apt. #1	Smith # 008	5	Yes	5B,2F,1D	10/15/00	Rehab	\$15,000	\$3,000	\$18,000	Grant	Smith	Smith	\$450	\$450	10/25/00
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W = White A = Asian E = Elderly F = Female B = Black/African American AI = American Indian/Alaskan Native

D = Severely disabled FH = Female Head of Household NH = Native Hawaiian/Other Pacific Islander

AW = Asian & White AIW = American Indian/Alaskan Native & White BW = Black/African American & White

AIB = American Indian/Alaskan Native & Black/African American

(Guide from General Information to be on Grantee Letterhead)

(date)

NOTICE: Residential Tenant That Will Not Be Displaced

Dear _____,

On (date) , (property owner) submitted an application to the Town/City of for financial assistance to rehabilitate the building which you occupy at (address) .

This notice is to inform you that, if the assistance is provided and the building is rehabilitated, you will **not** be displaced. Therefore, we urge you **not** to move anywhere at this time. If you do elect to move for reasons of your choice, you will not be provided relocation assistance.

If the application is approved and Federal assistance is provided for the rehabilitation, you will be able to lease and occupy your present apartment (or another suitable, decent, safe and sanitary apartment in the same building) upon completion of the rehabilitation. Of course, you must comply with standard lease terms and conditions.

After the rehabilitation, your initial rent, including the estimated average monthly utility costs, will not exceed the greater of (a) your current rent and average utility costs, or (b) 30 percent of your average monthly gross household income. If you must move temporarily so that the rehabilitation can be completed, suitable housing will be made available to you for the temporary period, and you will be reimbursed for all reasonable extra expenses, including all moving costs and any increase in housing costs.

Again, we urge you not to move. If the project is approved, you can be sure that we will make every effort to accommodate your needs. Because Federal assistance would be involved, you would be protected by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

This letter is important and should be retained. You will be contacted soon. In the meantime, if you have any questions about our plans, please contact (name, address and phone)

_____.

Sincerely,

(Guide from General Information to be on Grantee Letterhead)

(date)

NOTICE: Non-Displacement To Residential Tenant

Dear _____,

On (date), we notified you that the owner of your building had applied for assistance to make extensive repairs to the building. On (date), the owner's request was approved, and the repairs will begin soon.

This is a Notice of Non-Displacement. You will not be required to move permanently as a result of the rehabilitation. This notice guarantees you the following:

1. You will be able to lease and occupy your present apartment (or another suitable, decent, safe and sanitary apartment in the same building or complex) upon completion of the rehabilitation work. Your monthly rent will remain the same or, if increased, your new rent and estimated average utility costs will not exceed 30% of the gross income of all adult members of your household. Of course, you must comply with the reasonable terms and conditions of your lease.
2. If you must move temporarily so that the repairs can be completed, you will be reimbursed for all of your reasonable extra expenses, including the cost of moving to and from the temporarily occupied unit and any additional housing costs. The temporary unit will be decent, safe and sanitary, and all other conditions of the temporary move will be reasonable.

Since you will have the opportunity to occupy a newly rehabilitated apartment, I urge you not to move. If you do elect to move for your own reasons, you will not receive any relocation assistance. We will make every effort to accommodate your needs. Because Federal assistance is involved, you are protected by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

If you have any questions about our plans, please contact (name, address and phone)

_____. Remember, do not move before we have a chance to discuss your eligibility for assistance. This letter is important to you and should be retained.

Sincerely,

PUBLIC SERVICE BENEFIT DATA SYSTEM

Client Name/number	Family size	LMI	Non-LMI	Demographic Codes (w/Number)*	Application Date	Service Provided	CDBG Funds	Other Funds	Total Funds	Service Completed
(SAMPLE) R. Jones # PS 001	4	X		4W, 2E, 1F, 1D	10/15/00	Job Training	\$250	\$100	\$350	11/30/00
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										
<input type="checkbox"/>										

*** Demographic Codes:**

(Insert codes after applicable number of household members - i.e. 4W)

W = White A = Asian E = Elderly F = Female B = Black/African American AI = American Indian/Alaskan Native

D = Severely disabled FH = Female Head of Household NH = Native Hawaiian/Other Pacific Islander

AW = Asian & White AIW = American Indian/Alaskan Native & White BW = Black/African American & White

AIB = American Indian/Alaskan Native & Black/African American

JOB CREATION BENEFIT DATA SYSTEM

CDBG Economic Development Programs

Name of Business: _____

Employee Number/Name	Job Title Created/Retained	Date of Hire	Full-time	Part-time (% of Full)	LMI	Non-LMI	Demographic Code *
TOTAL:							

* **Demographic Codes:** (Insert codes after applicable number of household members - i.e. 4W)

W = White A = Asian E = Elderly F = Female B = Black/African American AI = American Indian/Alaskan Native
D = Severely disabled FH = Female Head of Household NH = Native Hawaiian/Other Pacific Islander
AW = Asian & White AIW = American Indian/Alaskan Native & White BW = Black/African American & White
AIB = American Indian/Alaskan Native & Black/African American

Signature of Company CEO/Official

STATE: MAINE Effective: 1/28/04

-----I N C O M E L I M I T S-----

PROGRAM		1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Bangor, ME MSA									
FY 2004 MFI: 52600	VERY LOW INCOME	18400	21050	23650	26300	28400	30500	32600	34700
	LOW-INCOME	29450	33650	37850	42100	45450	48800	52200	55550
Lewiston--Auburn, ME MSA									
FY 2004 MFI: 49500	VERY LOW INCOME	17350	19800	22300	24750	26750	28700	30700	32650
	LOW-INCOME	27700	31700	35650	39600	42750	45950	49100	52250
Portland, ME MSA									
FY 2004 MFI: 62700	VERY LOW INCOME	21950	25100	28200	31350	33850	36350	38850	41400
	LOW-INCOME	35100	40150	45150	50150	54150	58200	62200	66200
Portsmouth--Rochester, NH--ME PMSA									
FY 2004 MFI: 69600	VERY LOW INCOME	24350	27850	31300	34800	37600	40350	43150	45950
	LOW-INCOME	39000	44550	50100	55700	60150	64600	69050	73500
Androscoggin County									
FY 2004 MFI: 51000	VERY LOW INCOME	17850	20400	22950	25500	27550	29600	31600	33650
	LOW-INCOME	28550	32650	36700	40800	44050	47350	50600	53850
Aroostook County									
FY 2004 MFI: 41300	VERY LOW INCOME	16600	18950	21350	23700	25600	27500	29400	31300
	LOW-INCOME	26550	30350	34150	37900	40950	44000	47000	50050
Cumberland County									
FY 2004 MFI: 53000	VERY LOW INCOME	18550	21200	23850	26500	28600	30750	32850	35000
	LOW-INCOME	29700	33900	38150	42400	45800	49200	52600	55950
Franklin County									
FY 2004 MFI: 43700	VERY LOW INCOME	16600	18950	21350	23700	25600	27500	29400	31300
	LOW-INCOME	26550	30350	34150	37900	40950	44000	47000	50050
Hancock County									
FY 2004 MFI: 50300	VERY LOW INCOME	17600	20100	22650	25150	27150	29150	31200	33200
	LOW-INCOME	28150	32200	36200	40250	43450	46700	49900	53100
Kennebec County									
FY 2004 MFI: 49800	VERY LOW INCOME	17450	19900	22400	24900	26900	28900	30900	32850
	LOW-INCOME	27900	31850	35850	39850	43050	46200	49400	52600
Knox County									
FY 2004 MFI: 50800	VERY LOW INCOME	17800	20300	22850	25400	27450	29450	31500	33550
	LOW-INCOME	28450	32500	36600	40650	43900	47150	50400	53650
Lincoln County									
FY 2004 MFI: 51700	VERY LOW INCOME	18100	20700	23250	25850	27900	30000	32050	34100
	LOW-INCOME	28950	33100	37200	41350	44650	48000	51300	54600

STATE: MAINE Effective Date: 1/28/04

-----I N C O M E L I M I T S-----

	PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Oxford County									
FY 2004 MFI: 44600	VERY LOW INCOME	16600	18950	21350	23700	25600	27500	29400	31300
	LOW-INCOME	26550	30350	34150	37900	40950	44000	47000	50050
Penobscot County									
FY 2004 MFI: 42300	VERY LOW INCOME	16600	18950	21350	23700	25600	27500	29400	31300
	LOW-INCOME	26550	30350	34150	37900	40950	44000	47000	50050
Piscataquis County									
FY 2004 MFI: 38500	VERY LOW INCOME	16600	18950	21350	23700	25600	27500	29400	31300
	LOW-INCOME	26550	30350	34150	37900	40950	44000	47000	50050
Sagadahoc County									
FY 2004 MFI: 54900	VERY LOW INCOME	19200	21950	24700	27450	29650	31850	34050	36250
	LOW-INCOME	30750	35150	39550	43900	47450	50950	54450	57950
Somerset County									
FY 2004 MFI: 42100	VERY LOW INCOME	16600	18950	21350	23700	25600	27500	29400	31300
	LOW-INCOME	26550	30350	34150	37900	40950	44000	47000	50050
Waldo County									
FY 2004 MFI: 47600	VERY LOW INCOME	16650	19050	21400	23800	25700	27600	29500	31400
	LOW-INCOME	26650	30450	34250	38100	41150	44150	47200	50250
Washington County									
FY 2004 MFI: 35900	VERY LOW INCOME	16600	18950	21350	23700	25600	27500	29400	31300
	LOW-INCOME	26550	30350	34150	37900	40950	44000	47000	50050
York County									
FY 2004 MFI: 55800	VERY LOW INCOME	19550	22300	25100	27900	30150	32350	34600	36850
	LOW-INCOME	31250	35700	40200	44650	48200	51800	55350	58900

Step Four: Project Development Documentation and Reviews

Recipients of CDBG grants must complete a number of federal and state reviews, certifications and documents. **The following documents must be submitted to OCD prior to executing your grant contract.**

- ✓ **CDBG communities must satisfy the requirements of MRSA Title 30-A, section 5203**

1. Planning Board Review

Submit your Project Development package to your municipal planning board for review to ensure the project's conformity to your community's comprehensive plan and applicable zoning ordinances.

REQUIRED SUBMISSION: A signed letter from your planning board stating that the project conforms to the comprehensive plan and local zoning ordinances.

2. Public Hearing

You must hold a public hearing during the Project Development process to give members of your community a chance to comment on the project. A **ten**-day notice prior to holding the hearing is required. (A single public hearing may be held to cover all CDBG programs.) **REMINDER:** During CDBG Program implementation, you must hold a second public hearing to allow citizens to comment on progress made to date.

REQUIRED SUBMISSION: A copy of the newspaper ad or public notice announcing the hearing indicating the dates posted, along with hearing minutes attested as a true copy by the Town/City clerk along with attendance list.

3. Approval by Local Legislative Body

Your local legislative body must approve the project by formally voting to accept CDBG Funds. The warrant or resolution must be specific to the CDBG funds. **A “blanket “ warrant accepting all state or federal funds is not acceptable.** This is a good time for your local governing body to vote on an appropriation of funds to meet commitment or match requirements, if necessary.

REQUIRED SUBMISSION: A certified town warrant or council resolution accepting funds. **It must name the specific CDBG Program from which funds will be received and the grant amount.** A sample warrant article and council resolution are included in the next section.

- ✓ **CDBG communities must show evidence of Regional Planning Commission review under MRSA Title 30-A, Subchapter II, 2342**

Maine State Law requires that Project Development materials be provided to your regional planning commission or council of governments for review.

REQUIRED SUBMISSION: A copy of the letter you send to your regional planning commission with your Project Development materials.

- ✓ **Multi-jurisdictional CDBG projects must demonstrate that an interlocal agreement between all participating communities is in place under MRSA Title 30-A, Chapter 115, 2303**

Maine State Law requires that whenever two or more municipalities enter into an agreement for joint or cooperative action to exercise powers, privileges or authority capable of being exercise by a municipality in the State, an interlocal agreement must be created. Communities that submitted a joint application to implement CDBG programs benefiting multiple municipalities must enter into a formal interlocal agreement that designates which municipality will act as the lead community.

REQUIRED SUBMISSION: Copies of Interlocal Agreements adopted by the local governing body of each participating community. A sample copy is contained in the next section.

- ✓ **CDBG communities must have standards of conduct in place under the administrative regulations at 24 CFR, Part 85 – Code of Standards of Conduct (adopt and submit certified copy)**

Federal regulations mandate that recipients of CDBG funds maintain a written Code of Standards of Conduct governing the performance of their employees engaged in the award and administration of contracts. A sample Code of Standards of Conduct is in the next section.

REQUIRED SUBMISSION: A Code of Standards of Conduct that has been officially adopted by your local governing body. If your municipality has already adopted such a code, please submit it for review. A sample copy is contained in the next section

- ✓ **CDBG communities must pledge to “Affirmatively Furthering Fair Housing” under 24 CFR, Part 570 (The Fair Housing Act)**

The Fair Housing Act prohibits discrimination in the sale or rental of housing based on race, color, religion, sex, national origin, familial status and disability. It requires HUD and OCD to administer the CDBG Program in a manner that affirmatively furthers fair housing. Each municipality receiving CDBG funds must certify that it will affirmatively further fair housing. Two tasks necessary to comply are listed below.

REQUIRED SUBMISSION:

1. Fair Housing Resolution

A Fair Housing Resolution adopted by your local governing body stating that the programs to be implemented provide for equal opportunity in housing. A sample resolution for your use is contained in the next section.

2. Fair Housing Self-Assessment Survey

A completed Fair Housing Self-Assessment signed by the appropriate municipal official. A sample copy is contained in the next section.

✓ **Requirements of 24 CFR, Part 12, Subpart C (Reform Act of 1989) – HUD Funds Disclosure by Applicants for CDBG Funds**

The Reform Act of 1989 requires each municipality that has received, or can reasonably be expected to receive, in excess of **\$200,000 in HUD funding** during the federal fiscal year (October 1 through September 30) to disclose and report information pertaining to each project to be undertaken. These disclosures must include:

- Amounts and sources of other government assistance;
- The names and pecuniary interest of any developer, contractor or consultant involved in the application for assistance, or in the planning, development or implementation of the project or activity involved;
- Any other person who has a pecuniary interest in the project or activities for which the assistance is sought that exceeds \$50,000 or 10% of the assistance (whichever is lower); and
- Sources and uses of all public and private funds made available to the project.

REQUIRED SUBMISSION: Completed Disclosure Report signed by the appropriate municipal official. A sample report is included in the next section.

✓ **CDBG communities must certify that they are in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act**

Your community must comply with the requirements of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA) including the completion of a Self Evaluation and Transition Plan for making your programs and facilities accessible to people with disabilities. Many municipalities have already adopted this plan, which is a requirement for being eligible for receiving all federal funds.

REQUIRED SUBMISSION:

1. Section 504 Self-Evaluation and Transition Plan

Adopted by your local governing body. Use this plan if your community has never done a formal adoption. A copy of this document is contained in the next section.

2. ADA/504 Certification

Completed and signed by appropriate municipal official. Use this certification if your community has already formally adopted the plan. A sample certification is contained in the next section.

✓ **Completion of an Anti-Displacement Plan**

Displacement is caused when any family, individual, business, non-profit organization or farm moves from real property or moves personal property from real

property as a result of a CDBG program. The Department of Housing and Urban Development requires **ALL** recipients of CDBG funds, **REGARDLESS OF THEIR ACTIVITIES**, to certify that they will not displace people without just cause and will follow federal guidelines on compensating any individuals that may be displaced **THIS INCLUDES COMMUNITIES THAT DO NOT ANTICIPATE DISPLACING PERSONS.**

The intention of the Anti-Displacement Plan is to minimize effects on displaced persons. When displacement is unavoidable, all those displaced will receive fair and just compensation under the Federal Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended.

The municipality must be sure to include appropriate information, have the local CDBG Advisory Committee review it and have it adopted by the local governing body.

REQUIRED SUBMISSION: An Anti-Displacement Plan adopted by your local governing body. A copy of the plan is contained in the next section.

✓ **Completion of an Employment Profile**

An Employment Profile describes the characteristics of those persons administering the grant who are funded in whole, or in part, with CDBG funds. It provides insight as to possible discriminatory patterns of employment.

REQUIRED SUBMISSION: An Employment Profile completed by the CDBG administrator or municipal official. A copy of the Employment Profile and directions are contained in the next section.

✓ **Completion of an Equal Employment Opportunity Policy Statement**

An Equal Employment Opportunity Policy Statement ensures that communities implementing a CDBG project pursue policies of non-discrimination in personnel practices

REQUIRED SUBMISSION: An Equal Employment Opportunity Policy Statement adopted by your local governing body. A sample EEO Statement is contained in the next section.

SAMPLE COUNCIL RESOLUTION

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Town/City of _____ wishes to apply to the Department of Economic and Community Development for a Community Development Block Grant to carry out a community development program; and

WHEREAS, the planning process required by Maine Law and the CDBG Program have been complied with, including participation in the planning process by low and moderate income families and individuals and the community has conducted at least one duly advertised public hearing.

NOW THEREFORE, be it resolved by the Council of the Community of _____ that the Town/City Manager (or other local government official or officer):

- 1) Is authorized and directed to submit an application for the following program(s) and dollar amount(s) within the State of Maine's CDBG Program:

Program: _____ Amount: _____

Program: _____ Amount: _____

To the Department of Economic and Community Development on behalf of the Community of _____, substantially in the form presented to this council;

- 2) Is authorized to make assurances on behalf of the Community of _____ required as part of such applications, and
- 3) Is authorized and directed, upon acceptance of said funds to carry out the duties and responsibilities for implementing and said program(s), consistent with the Charter of the Community of _____ and the laws and regulations governing planning and implementation of community development programs in the State of Maine.

DATE ENACTED: _____

Municipal Seal

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

SAMPLE TOWN MEETING WARRANT ARTICLE

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Date: _____

Shall the Town of _____ vote to approve a Community Development Block Grant application(s) for the following program(s) and dollar amounts:

Program: _____ Amount: _____

Program: _____ Amount: _____ ;

and to submit same to the Department of Economic and Community Development and if said program is approved, to authorize the municipal officers to accept said grant funds, to make such assurances, assume such responsibilities, and exercise such authority as are necessary and reasonable to implement such programs.

**MUST BE SUBMITTED AS A TRUE DOCUMENT COPY
WITH CERTIFIED SIGNATURE(s)**

INTERLOCAL AGREEMENT

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

THIS AGREEMENT, entered into between the Town/City of _____
and the Town(s)/City (ies) of _____

_____ does hereby provide for said jurisdictions to **jointly apply** for, and receive, a Maine Community Development Block Grant from the Department of Economic and Community Development to undertake an eligible project as determined by the U.S. Department of Housing and Urban Development.

THE TOWN/CITY of _____ hereby authorizes the Town/City of _____ to act as the lead grantee, and thereby be responsible for compliance with applicable State and Federal requirements of the Maine Community Development Block Grant Program and in maintaining a program budget.

THIS AGREEMENT will terminate on _____, _____ unless it is deemed in the best interest of all parties to extend the agreement.

Adopted by the Town/City of _____ on this _____ day of _____, 20____, and found to be in conformance with MRSA Title 30-A, Chapter 115, and § 2203.

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

STANDARDS OF CONDUCT

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT

INTRODUCTION

Elected officials, appointed officials, employees of Community Development Block Grant (CDBG) recipients and contractors are those responsible for administering Maine's CDBG Program and are also responsible for its integrity. Following sound business practices, prescribed standards of conduct and Department of Housing and Urban Development (HUD) requirements will not only protect these grant funds, but also those who administer the program.

PURPOSE

This notice provides information on specific activities you must avoid and identifies essential HUD requirements that must be met. The requirements will help to prevent fraud and program abuse by alerting essential officials to appropriate standards of conduct.

AUTHORITIES

Pertinent laws and requirements that you should have copies of are:

- ✓ Housing and Community Development Act of 1974 as amended in 1992. This is located in the Administrator's Guide.
- ✓ Community Development Block Grant Regulations (24 CFR Part 570).

PROGRAM REQUIREMENTS & PROHIBITED ACTIVITIES

The following sections reviewed prohibited activities and administrative requirements that must be followed by all CDBG communities.

1. Prohibition against conflicts of interest

CDBG regulations (25 CFR, Part 570.489 (h)) prohibit conflicts of interest. For any CDBG activities under your control or influence you may not:

- a) Obtain personal or financial interest or benefits including money, favors, gratuities, entertainment or anything of value that might be interpreted as conflict of interest.
- b) Obtain a direct or indirect interest in any contract, subcontract or agreement for any CDBG activity. This prohibition extends to contract in which your spouse, minor child, dependent or business associate may have personal or financial interest. This prohibition extends for a period of one year after you leave your position with a CDBG activity or program.
- c) HUD may grant an exception to this conflict of interest provision if it determines that such exception will enhance the effectiveness of the CDBG project. Requests for such exceptions must be made in writing to this office.

2. Procurement and Contracting Requirements

Provisions of 24 CFR Part 85 and Part 36, Administrative Requirements apply to the CDBG Program grantees. These provisions prohibit the following practices in your procurement and contract administration.

a) Circumventing competitive bidding requirements by:

- 1) failing to advertise for sealed bids or soliciting proposals and engaging in noncompetitive negotiation;
- 2) failing to use established evaluation criteria in negotiations;
- 3) splitting bids by breaking down contracts into small parts so that purchase order procedures can be used except to meet Minority/Women Business Enterprise goals;
- 4) favoring or providing a competitive advantage to any one firm or individual; identifying the names of those invited to bid; and preparing fictitious bids to simulate competition.

b) Failing to adhere to contract award requirements by:

- 1) allowing excessive price charges;
- 2) awarding contract to other than low bidder without adequate justification; and
- 3) accepting a bid that does not contain a price for all items or services included in the bid invitation.

c) Failing to verify contractual and programmatic compliance by contractors by:

- 1) authorizing payment for work not completed;
- 2) falsifying inspection reports;
- 3) altering contractor invoices; and
- 4) misusing modification or change orders.

3. Financial Management and Recording Systems

You must comply with the following requirements of 24 CFR part 85.20 and .42 and CDBG regulations.

- a) Establish internal controls to safeguard cash, inventory and equipment.
- b) Establish a special ledger account for all CDBG monies.
- c) Maintain financial records including:
 - 1) A register of cash receipts and disbursements;
 - 2) record of all non-cash transactions;
 - 3) General ledger to show the status of each CDBG account;
 - 4) A fixed account ledger, and
 - 5) A record of drawdowns, funds received and balance of funds.
- d) Ensure you maintain financial records and maintain for three years.

- e) Use income generated from grant activities for other eligible activities.
- f) Use program income before drawing additional grant funds to pay for allowable program expenses.
- g) Not request or draw down more funds than needed.

4. Cost Allowance

You must comply with OMB Circular A-87, Cost Principles for State and Local Governments. You may not spend CDBG funds on ineligible activities including:

- a) Expenses required to carry out the regular responsibilities of the general local government.
- b) Partisan political activities (e.g. contributions towards political campaigns, voter registration or candidate forums).

5. Program Monitoring

Regulation CFR Part 85.40 states you must monitor the performance of grant supported activities to assure compliance with federal requirements and that performance goals are being achieved. It is suggested you:

- a) Keep records for your on-site visits to sub grantees and contractors.
- b) Place special emphasis on your monitoring of the highest risk sub recipients and contractors.

DATE ADOPTED: _____

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

FAIR HOUSING RESOLUTION

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

LET IT BE KNOWN TO ALL PERSONS of the City/Town of _____ that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law). It is the policy of the City/Town of _____ to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin. Therefore, the Town does hereby pass the following Resolution.

BE IT RESOLVED that within available resources the Town will assist all persons who feel they have been discriminated against because of race, color, religion, sex, handicap, familial status or national origin to seek equity under federal and state laws by filing a complaint with the Maine Human Rights Commission or the U.S. Department of Housing and Urban Development, Boston Regional Office Compliance Division.

BE IT FURTHER RESOLVED that the Town shall publicize this Resolution and through this publicity shall cause owners of real estate, developers and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and any applicable state and local laws or ordinances.

SAID PROGRAM will at a minimum include but not be limited to: (1) the printing and publicizing of this policy and other applicable fair housing information through local media and community contacts; (2) distribution of posters, flyers and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

DATE ADOPTED: _____

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

FAIR HOUSING SELF ASSESSMENT

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

COMMUNITY OF:

1. To the best of your knowledge has your community been involved in any complaints regarding discrimination the sale or rental of housing on the basis of race, color, religion, sex, national origin, familial status or handicap?

Yes No

2. If yes, give a brief description of the nature of any complaints and resolutions.

Yes No

3. Has your community adopted a Fair Housing Program to help local citizens be aware of their rights regarding fair housing under federal and state law, and in filing a complaint if discrimination is suspected?

Yes No

4. What do you perceive as the most potentially serious problem areas regarding discrimination in fair housing in your community?

Problem Area	Very Serious	Serious	Moderate	Not a Problem
Color				
Familial Status				
Handicap				
National Origin				
Race				
Religion				
Sex				

5. Does your community contain any subsidized housing units?

Yes No

6. As best as can be determined, do relevant public policies/practices regarding zoning and building codes have an adverse impact on the achievement of fair housing choice?

Yes No

7. Are you aware of any practices in the local real estate community as it relates to buying, selling and house rentals that may adversely affect the achievement of fair housing choice in your community?

Yes No

8. Do your community records contain data on the actual number and percentage of persons residing in the community by race, color, religion, sex, national origin, age, handicap and familial status, as well as income characteristics by group?

Yes No

9. Is information available to you that list major local employers by type and the number of people employed within your community by salary and racial group?

Yes No

10. Is there public transportation available in your community?

Yes No

11. Do your community records contain data on the total number of housing units in the community by type, and the number of vacant units?

Yes No

12. Does your community contain any housing for the handicapped such as group homes, independent living complexes, etc.?

Yes No

13. Has your community participated in the CDBG program prior to 1993?

Yes No

14. Has your community been involved with any other state or federal programs that required the reporting of specific fair housing information?

Yes No

Signature of Authorized Municipal Official

Date

DISCLOSURE AND UPDATE REPORT

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Part 1: APPLICANT INFORMATION

Initial Report ____

Update Report ____

1. Applicant Name, Address and Phone Number

2. Project to be Funded (Project Name and Location by Street Address)

3. Funding Received (by Program)

4. HUD Program

5. Total Program Funding

CDBG

PART II THRESHOLD DETERMINATION

1. Are you requesting CDBG funding for a specific project or activity, as provided by 24 CFR Part 12, Subpart C, and have received, or can reasonably expect to receive, an aggregate amount of all forms of covered HUD funds through federal, state and local government sources, that will exceed \$200,000 during the Federal Fiscal Year (October 1 through September 30) in which the application is submitted?

Yes ____ No ____

If **Yes**, you must complete the remainder of this report. If **No**, you must sign the certification below and answer the next question.

I hereby certify that this information is true.

Authorized Signature _____ Date _____

2. Does this application seek to assist any residential housing property, containing five or more dwellings units that will also receive other federal state, or local government funding?

Yes ____ No ____

If **Yes**, you must complete the remainder of this report. If **No**, you must sign this certification.

I hereby certify that this information true.

Authorized Signature _____ Date _____

If your answers to both questions are no, you do not need to complete Parts III - V, but you must sign the final certification.

PART III: OTHER GOVERNMENT FUNDING (FEDERAL, STATE, AND LOCAL)			
Source of Government Funding (Name and Address)	Program	Type of Funding	Amount of Funding

PART IV: INTERESTED PARTIES (INDIVIDUALS AND ENTITIES)			
Alphabetical list of all parties with reportable financial interest in the project or activity. (for individuals give the last name first)	Social Security Number or Employee ID Number (optional)	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

If there are no parties with a reportable financial interest, you must certify this information is true.

I hereby certify that this information is true.

Authorized Signature

Date

PART V: REPORT ON EXPECTED SOURCES AND USES OF FUNDS

Source

Use

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional nondisclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Authorized Signature

Date

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under Section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is optional. The information you provide will enable HUD and the Office of Community Development (OCD) to carry out their responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of funding administered by OCD for HUD. They will also help ensure that HUD funding for a specific housing project under Section 102 (d) is not more than is necessary to make the project feasible after taking account of other government assistance. OCD and/or HUD will make available to the public all applicant disclosure reports for five years. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. **Failure to provide any required information may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §1234.**

Instructions for THE DISCLOSURE REPORT

All Project Development communities must complete this report after OCD announces the amount of funds available. A report must be submitted for each CDBG program that a community is participating in. Separate reports must be submitted for each unrelated activity contained within a CDBG program. Related activities, such as a downtown revitalization project, contained within the same CDBG program, may be reported jointly. In joint applications, the lead community must complete the report, but the report must contain all financial information regarding the other applicants.

PART I APPLICANT INFORMATION (Check Line for Initial Report)

1. **Applicant Name, Address and Phone Number** - Enter the appropriate information for your community
2. **Project to be Funded** - Enter the project name and where it will take place by street address
3. **Funding Received** - Enter the applicable CDBG program such as Public Facilities Infrastructure
4. **HUD Program** - Do nothing, CDBG has already been entered for you
5. **Amount Requested/Received** - Enter the amount of funds you will be allocating to this project from the total amount available from OCD

PART II THRESHOLD DETERMINATION

I. \$200,000 Threshold

- If the total of all CDBG program funds or other HUD funds from federal, state or local sources that your community will receive, or expects to receive between October 1st of last year and September 30th of this year exceeds \$200,000, check Yes.
- If this total is, or will be, less than \$200,000, check No and have your community's Chief Executive Officer sign and date the certification

2. Government Funding for Housing Threshold

- If you intend to use CDBG program funds with any other form of Federal, State, or local government funding to assist a residential housing property, that contains five or more units, check Yes
- If you are not doing housing, have no other government funding involved in your housing project, or won't be involved in a housing project that contains five or more units, check No, and have your community's Chief Executive Officer sign and date the certification

***If you have answered No to both of the threshold questions, skip Parts III - V and sign the certification on the last page.**

***If you have answered Yes to one or both of the threshold questions, complete the entire report.**

PART III OTHER GOVERNMENT FUNDING

1. Source of Funding - List the source and address for all entities of Federal, State, and local government that will be, or is expected to, provide **any forms** of funding to the project. An example would be Rural Development Administration (RD)

2. Program - Give the program name such as Community Facilities Program

3. Type of Funding - List the type of assistance provided such as grant, loan, etc.

4. Amount of Funding - Enter the amount of funds requested or dedicated to the project

PART IV INTERESTED PARTIES

1. List of Parties - List alphabetically all developers, contractors, or consultants involved in the application, or in the planning, development or implementation of the project; any other person or group who has any financial interest in the project that exceeds \$50,000 or 10% of the CDBG project amount, whichever is lower. In cases where the party to be disclosed is an entity, the disclosure must include the identification of each officer, director, principal stockholder or other official. List addresses of interested parties.

2. Social Security or Employee Identification Numbers - Listing of these numbers is optional

3. Type of Participation - Enter the type of participation for each party such as contractor, consultant, planner, investor, etc.

4. Financial Interest - Enter the financial interest of each party listed in the first column in actual dollar amount and as a percentage of CDBG funds involved. Where entities are involved, only the entities' financial interest need be reported, not that of the listed officials of the entity.

PART V SOURCES AND USES OF FUNDS

1. Sources of Funds - List all sources and amounts of funds expected or allocated from CDBG, other government entities, private sources and foundations. These sources should be listed in descending order based on the amount of funds to be used in the project.

Give the name and address of each source of funds and the type of assistance to be provided, such as grants or loans.

2. Uses of Funds - For each source of funds identified above, list in the same descending order, a clearly defined purpose to which the funds will be put.

Have your Chief Executive Officer carefully read then sign and date, the final certification.

COMPLETING THE UPDATE REPORT

As you implement your CDBG project, you will need to produce updated disclosure reports for each CDBG program that meets one or more of the threshold criteria on your original report. Your Project Development Disclosure Report must be updated because selection of contractors and sources/uses of other funding sources were not finalized at that time. Also, you will need to submit update reports to OCD as changes occur during the implementation of the project.

Using the original disclosure report that was completed during the Project Development process, update the report to contain all current information in the parts listed below.

PART I APPLICANT INFORMATION (Check line for Update Report)

Complete these sections according to the instructions for completing the disclosure report. It is probable that the information in these sections will not have changed from the Project Development submission. Enter any changes that have occurred.

PART II THRESHOLD DETERMINATIONS

This information should be the same as the initial report and since you have already met the threshold, skip these sections.

PART III OTHER GOVERNMENT FUNDING

Using the instructions for completing this section of the disclosure report, enter all new information in these sections. This should include all new funding and any increase of 10% or more to a source of funding that was disclosed in the original report.

PART IV INTERESTED PARTIES

Using the directions for completing this section of the disclosure report, list all new developers, contractors, and consultants involved in the project and list all new parties with a financial interest that exceeds \$50,000 or 10% of the CDBG assistance, whichever is lower. This would include an interested party with a financial interest that has increased between the Project Development process and the time of the report and now meets the \$50,000/10% criteria for disclosure.

PART V REPORT ON EXPECTED SOURCES AND USES OF FUNDS

Using the directions for completing this section of the disclosure report, list all new sources and uses of funds, and all changes in sources and uses from the disclosure report that are 10% or greater.

Have your community's Chief Executive Officer carefully read, then sign and date all necessary sections of the update report, including the final certification.

ADA/SECTION 504 CERTIFICATION

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The Town/City of _____ hereby certifies that it has complied with the following requirements pursuant to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act and

1. Conducted a Section 504/ADA Transition Plan and Self Evaluation of all municipal facilities;
2. Advises the public, employees and job applicants that it does not discriminate on the basis of handicapped status in admission or access to or treatment or employment in its programs and activities; and
3. Has designated the following person as the contact to coordinate efforts to comply with these requirements.

Name: _____ Title: _____

(Signature of Authorized Municipal Official)

(Date)

Municipal Seal

SECTION 504 SELF EVALUATION AND TRANSITION PLAN

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

TOWN/CITY OF _____

The following individual is responsible for inquiries regarding this Section 504 Self-Evaluation and Transition Plan:

(name)

(title)

(address)

(telephone) (fax) (e-mail)

The Section 504 Self Evaluation and Transition Plan was adopted by the following authorized individuals on behalf of the municipality:

DATE ADOPTED: _____

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

1. EMPLOYMENT

1. Are job announcements put into newspapers that have general circulation?

☐ Yes ☐ No

If No, describe how individuals are made aware of employment opportunities:

2. Do job announcements state that the municipality is an Equal Opportunity Employer?

☐ Yes ☐ No

If No, explain why the "Equal Opportunity Employer" statement is not contained within job announcements:

3. Has the municipality adopted a Equal Employment Opportunity Policy Statement?

☐ Yes ☐ No

4. Do job applications inquire as to whether an applicant is a disabled person or as to the nature or severity of a disability?

☐ Yes ☐ No

If Yes, explain: _____

5. Describe the accommodations that can be made for the known physical and mental limitations of otherwise qualified disabled persons who are currently employed or applying for employment:

2. PROGRAM ACCESSIBILITY

1. Are any of the following services or benefits provided to residents directly by the municipality?

___ Yes ___ No

(Please mark an "X" for all services provided by the municipality)

___ Transportation Services	___ Counseling Services
___ Health Services	___ Employment Services
___ Public Housing	___ Food Services
___ General	___ Social, Recreational, or Athletic Services

(a) For those services that are provided, describe accommodations that can be taken to make them accessible and usable for persons with disabilities (e.g. provision of auxiliary aids, relocating programs to accessible facilities, use of alternative materials, home visits, etc.):

2. Are there any limitations on the number of qualified disabled persons who may participate in or be admitted to the program?

___ Yes ___ No

If Yes, list the steps to eliminate the limitations:

3. Do applications for these services, in any way discriminate against persons with disabilities?

___ Yes ___ No

4. Describe the nature of the qualifications that are needed in order to be eligible for each respective program:

Program

Qualifications

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

3. FACILITIES

Note: The definition of "facility" under Section 504 includes all or any portion of buildings, structures, equipment, roads, walks, parking lots or other real or personal property or interest in such property, owned, operated or leased by the municipality)

1. List below all facilities and the programs or operations for which each facility houses.

Facility

Programs or Operations Housed

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

Using the Uniform Federal Accessibility Standards (UFAS), each facility must be reviewed for compliance:

COMPLIANCE COMPONENT

FACILITIES

	#1	#2	#3	#4	#5	#6	#7
Accessible Route							
Outside Paths and Walks							
Parking							
Curb Ramps							
Ramps							
Entrances/interior Doors							
Elevators							
Lifts							
Toilet Rooms							
Drinking Fountains							
Warning Signals							
Assembly Areas							
Public Telephones							
Other Building Elements and Specialized Facilities							

- Place a "1" in the respective box if item is in compliance with UFAS
- Place a "2" in the respective box if item is not in compliance with UFAS
- Place a "3" in the respective box if item is not available and is not required

* #1 through #7 above must correspond to the specific facility with that same number identified on the preceding page.

2. For those facilities where a "2" was indicated for the specific component, list below the inaccessible feature that limits accessibility to the programs provided in that facility:

RESIDENTIAL ANTIDISPLACEMENT & RELOCATION ASSISTANCE PLAN

Town/City of _____

(under Section 104(d) of the Housing and Community Development Act of 1974, as amended).

I. PURPOSE:

This Plan is established following Section 104(d) of the Housing and Community Development Act of 1974, as amended. Its objective is to insure that persons displaced as a result of CDBG-assisted projects are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of a project designed for the benefit of the public as a whole.

II. COMPLIANCE MEASURES:

The Town/City of _____ will replace all occupiable and vacant Low - Moderate Income dwelling units demolished OR converted with funds provided under the Housing and Community Development Act of 1974, as amended, in a way as described as follows:

1. The units must be located within the state recipient's jurisdiction and to the extent possible shall be located within the same neighborhood as the units replaced.
2. The units must be sufficient in number and size to house no less than the number of occupants who could have been housed in the units that are demolished or converted.
3. The units must be provided in standard condition.
4. The replacement units must be made available for occupancy during the period beginning one year before an agreement to convert or demolish the units in question is executed and ending three years after the commencement of the demolition or rehabilitation related to the conversion.

The units must remain Low-Moderate Income dwelling units for at least 10 years from the date of initial occupancy. Before the Town/City of _____ enters into an agreement to provide funds that will directly result in the demolition of Low-Moderate Income dwelling units or the conversion of Low-Moderate Income dwelling units, the Town/City of _____ will make public and submit the following information in writing to the State:

- 1) A description of the proposed assisted activity;
- 2) The location on a map and the number of dwelling units by size that will be demolished or converted to a use other than for Low-Moderate Income dwelling units as a direct result of the assisted activity;
- 3) A time schedule for the commencement and completion of the demolition or conversion;

- 4) The source of funding and a time schedule for the provision of replacement dwelling units;
- 5) The basis for concluding that each replacement dwelling unit will remain a Low-Moderate Income dwelling unit for at least 10 years from the date of initial occupancy;
- 6) Information demonstrating that any proposed replacement dwelling units with smaller dwelling units is consistent with the housing needs of Low-Moderate Income households in the jurisdiction.

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act, the **Town/City of _____** will take all possible actions within its power to minimize the displacement of persons from their homes.

III. ASSISTANCE TO PERSONS DISPLACED:

The **Town/City of _____** shall provide relocation assistance and payments as required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 or the Housing and Community Development Act of 1974, as amended, Section 104(d) for residents displaced as a result of CDBG funded activities. All displaced residents who are eligible for other housing programs will be helped through that agency's process. In addition, City staff shall provide housing counseling and referral services to assist those displaced to find alternative housing in the neighborhood.

IV. DEFINITIONS:

Displaced Person: Any person (family, individual, business, nonprofit organization or farm operation) that moves from real property, or moves personal property from real property, permanently and involuntarily, as a direct result of rehabilitation, demolition or acquisition (privately undertaken or public) for HUD-assisted program/project.

V. AGENCY RESPONSIBILITY:

The **Town/City of _____** Community Development Department shall be responsible for the implementation of this Plan as well as ensuring compliance with applicable Federal and State law and regulations. The **Town/City of _____** will identify and designate a Relocation Officer to perform functions concerning this Plan.

Any questions regarding this Plan or Federal and State laws regarding displacement should be addressed to _____.

VI. CERTIFICATIONS:

The **Town/City of** _____ hereby certifies that it will uphold the contents of this Plan and the intentions of the compliance measures stated.

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

EMPLOYMENT PROFILE

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT

Date: _____

(Name of Town/City)

JOB CATEGORY

Employment Characteristics	Admin/ Officials	Professionals	Technicians	Para Professionals	Office/ Clerical	Other
Total Number						
MALE:						
W						
A						
AW						
NH						
AIW						
AIB						
AI						
B						
BW						
FEMALE:						
W						
A						
AW						
NH						
AIW						
AIB						
AI						
B						
BW						

Demographic Codes: Use for Recording Racial Categories

W = White

A = Asian

AW = Asian & White

FH = Female Head of Household

NH = Native Hawaiian/Other Pacific Islander

AIW = American Indian/Alaskan Native & White

AIB = American Indian/Alaskan Native & Black/African American

B = Black/African American

BW = Black/African American & White

AI = American Indian/Alaskan Native

Instructions for completing the form:

An Employment Profile describes the characteristics of those persons administering the grant who are funded in whole, or in part, with CDBG funds. It provides insight as to possible discriminatory patterns of employment.

Neatly print or type today's date and the name of your community in the spaces provided at the top of the page.

Carefully consider all persons who are working on your community's CDBG grant that are being paid with grant funds.

Example: The Town Clerk is spending time performing duties pertaining to the CDBG grant that are beyond her regular duties. The Town is paying with CDBG Administrative Funds for the clerk's time. This individual is funded, in part, by CDBG dollars and must be recorded on the form.

Be sure to include those individuals whose salary or fees are paid totally with grant dollars as well as those persons whose salary or fee is only partially funded with grant monies. Each of these individuals must keep a timesheet tracking time-spent working on grant activities.

Each individual will be recorded on the Profile form by gender, ethnicity, and professional status. Use the **Demographic Codes** provided at the bottom or the Employee Profile form to ascertain the proper ethnic category.

Example: To record an Asian, female Town Manager who is working on the grant, one would look at the lower half of the table, labeled Female, and proceed to the top of the table for the column marked "**Admin/Officials**". Then move down the column until you reach the row marked "**A**". Place an X in this box. Repeat this process for each individual paid with CDBG funds.

Equal Employment Opportunity Policy Statement

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT

The Town Selectmen/City/Town Council of _____ declares its intent that the Town/City will pursue a policy of non-discrimination in personnel practices, including: recruiting, hiring, opportunities for transfer and promotion, conditions or privileges of employment, as well as compensation and benefits. Such practices or procedures shall not favor or penalize any person because of race, creed, color, sex, marital status, national origin, age, physical handicap, where these are not found to be bona fide occupational qualifications.

The Town/City recognizes its responsibility to enhance the purposes set forth in the Maine Human Rights Act as well as Federal statutes which may apply as a result of its Federal grant activities.

Compliance with EEO requirements may be enhanced through adoption of appropriate personnel policies. Assistance in drafting such policies may be obtained through the Maine Municipal Association or your Community Development Office.

DATE ADOPTED: _____

AUTHORIZED SIGNATURES

Name	Date
Name	Date
Name	Date
Name	Date
Name	Date

Municipal Seal

Step Five: Your Environmental Review

Every CDBG project must be evaluated for its environmental impact. Your review compares your project to the requirements of various statutes and regulations.

As you review your project, you will create an Environmental Review Record (ERR) of your process and any compliance activities, permits or other actions you must take when implementing your project. The ERR must be kept on file at your town's office. To complete your review you may have to consult with staff from agencies like the State Office of Historic Preservation, your local code enforcement officer or the Department of Environmental Protection. When you consult anyone keep a record of the answers to any questions you asked. Keep these supporting documents with your ERR.

Forms have been designed that help you organize your review process. These forms are in a separate publication, The Environmental Review Handbook, available from OCD. You must complete these forms and your environmental review before you can execute your grant contract with OCD. You cannot expend or obligate any project funds before this environmental review is completed.

After you complete your review, you will submit it to your OCD project development specialist. Once it's accepted, your community will be assigned an "environmental clearance" date. If all Project Development requirements are accepted you may be able to obligate CDBG funds after that date. Please consult with your project development specialist before you obligate or expend CDBG or other matching funds.

Please remember that no CDBG or other project funds can be obligated (no contracts executed) until your community completes its Environmental Review and receives clearance from the Office of Community Development.

Step Six: Spending CDBG Funds

CDBG project funds must be spent in accordance with program regulations including conflict of interest prohibitions, proper procurement procedures and insurance and bonding requirements. This section outlines these areas. If you have specific questions about any of these procedures contact your project development specialist **BEFORE** you spend or obligate any project funds.

Conflict of Interest

Under CFR Part 85 (The Common Rule), the Standards of Conduct in this Workbook and some local ordinances, town employees and elected or appointed officials and those who could have inside information in any town contract award process are forbidden from benefiting from the contract award. This prohibition extends to family members and spouses of town employees and elected or appointed officials. If you think that a conflict of interest may exist, be sure to contact your project development specialist **BEFORE** you begin the bidding process.

In some circumstances, a conflict of interest waiver may be granted. The waiver must be approved in advance of the contract award. The instances where a waiver may be granted are determined by federal regulation and are granted at OCD's discretion.

Procurement Requirements

During the course of your project, you will use CDBG funds to purchase equipment, professional services (like consultants and engineers) and contractors. Under CFR Part 85, you must follow specific rules for inviting bids and proposals and for awarding contracts. These rules depend on the amount of the contract to be awarded and the type of service or goods you are purchasing. Further details can be found in the CDBG Financial Handbook in the Administrator's Guide.

Remember that the purpose of these regulations is to ensure full and fair competition that produces the lowest responsible bidder. In this way, the regulations seek to maximize the services or goods the community receives and minimize the price paid.

REMEMBER!

Don't spend any funds, CDBG or those from any other source, before you review this section and speak to your Project Development Specialist.

1. Steps to Protect your Community and Project Funds

Communities must require guarantees from contractors, consultants and employees to protect the community, project activities, HUD and the State of Maine. These bonding and insurance requirements are outlined in Policy Statement # 4.

2. Purchasing Supplies and/or Equipment with CDBG funds (Procurement)

When purchasing supplies and equipment:

- Identify all vendors who can be reasonably expected to provide the supplies or equipment.
- Provide a complete and realistic specification or purchase description (and one that lends itself to a fixed price contract) to all prospective bidders.
- Select the vendor based on price.

3. Purchasing Professional Services

Various rules cover professional services like grant administration, engineering, architectural, and other consultants. Consultant services other than engineering and architectural must be selected through a competitive process listing your selection criteria (which **must** include **price**).

For Project Development work, you may contract with your regional council without soliciting request for proposals.

Architectural and engineering services must be selected through a competitive process based on listed professional qualifications and need not include price. However prior to issuing a contract a reasonable price must be negotiated based on the scope of activities and known rate for this type of professional service.

REMINDER – *This is an exception to the competitive process described below. Your community may still choose to do a competitive process that **DOES** use price as one of its selection criteria*

- a) Publicize a Request for Qualifications (RFQ). Include past experience and projects, references, professional licenses, etc. You must respond to any inquiries for information on the project and provide the same information (printed, etc.) to all interested parties.
- b) Make sure you receive an adequate number of responses to offer a variety of methodologies, and qualifications. In general, you need at least three responses. If you do not receive at least three, contact your project development specialist for guidance
- c) Create a process of scoring and evaluation that will result in the selection of a firm.
- d) Make the award to the firm whose proposal shows, through your evaluation process, that it will best serve your community given its qualifications and proposed methodology subject to negotiation of a fair and reasonable compensation.

For other professional service contracts (or for architects and engineers if you choose) follow this procedure:

- a) Publicize a Request for Proposals (RFP), specify a set of criteria with values attached to show how the proposal will be evaluated (make sure you include price as one of the factors). You must respond to any inquiries for information on the project and provide the same information (printed, etc.) to all interested parties. A sample RFP follows:
- b) Make sure you receive an adequate number of responses to offer a variety of methodologies, qualifications and price options. In general, you need at least three responses. If you do not receive at least three, contact your project development specialist for guidance.

- c) Create a process of scoring and evaluation that will result in the selection of a proposal.
- d) Make the award to the firm whose proposal shows, through your evaluation process, that it will best serve your community given its price, qualifications and proposed methodology.

4. Purchasing Construction Services (Labor Standards)

The phrase “labor standards” refers to a series of federal acts that apply to construction contracts between Grantees and contractors hired to work on projects funded in whole or part with CDBG funds. These standards are intended to safeguard basic rights of the contractor's employees in such areas as minimum wages, kickbacks and payment of overtime.

REMEMBER!

Neither construction nor any expenditure of project funds can occur before your Project Development process is completed and accepted by OCD. This prohibition includes execution of any contracts for project work. A competitive process based on price must procure all construction services.

The Davis-Bacon Act

The Davis-Bacon Act requires that construction contract in excess of \$2,000 pay applicable wage rates for each trade working on a project. These wage rates are part of the project's bid process and contract between the community and the contractor. Penalties for not requesting and utilizing wage rates could make the community liable for any wage rate underpayments.

Housing Rehabilitation Exception: If your project consists of only single-family residences, labor standards requirements do not apply. However, if you are rehabilitating eight or more units in a single building or contracting eight or more projects at once, labor standards requirements apply.

Each year some CDBG communities are farther along in planning activities and therefore, begin construction shortly after signing a contract with DECD. The following pages explain how to request Davis-Bacon wage rates.

Requesting wage rates

Wage rates are issued through the OCD, and become a part of your bid package. Expect this process to take about seven days. Once issued, the rates are good until superseded, normally once a year. If this timeframe is in line with your planned activities, we urge you to begin the process immediately.

Please do not request wage rates at this time if you do not expect to use them within the next six months. If you are uncertain how the timeframe affects your project, please contact this office. The wage determination form and instruction for completing it follow this section.



Department
Of
Economic and Community Development
111 Sewall Street, 3rd Floor
59 Statehouse Station
Augusta, Maine 04333

POLICY STATEMENT #4

Subject: ***Bonding and Insurance Requirements for CDBG Funded Contracts***

Revised: **10/00**

The following outlines the minimum requirements to be followed when purchasing supplies, equipment, construction and professional services paid in whole or in part with Community Development Block Grant (CDBG) funds.

You may use your municipality's procurement procedures provided that the State of Maine and/or the Department of Housing and Urban Development have made a written determination that the governments' interest is adequately protected, or you may adopt the requirements described below. If appropriate, you may supplement your procedures to improve existing systems. To ensure fair procurement practices, a written policy identifying the procedures must be available for review by all potential bidders and the OCD.

PERSONAL BONDING

Community officials or consultants/paid administrators who are authorized to process CDBG funds, including signing of checks, **must be bonded.**

BID BOND

For contracts which exceed \$100,000, including the practice of "block bidding" housing rehabilitation projects, a bid guarantee from each bidder equivalent to five percent of the bid price is required. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of their bid, execute such contractual documents as may be required within the time specified.

CONTRACT BOND

For contracts which exceed \$100,000, including the practice of "block bidding" housing rehabilitation projects, there must be prior to signing of the contract, a **performance bond** on the part of the contractor for 100 percent of the contract price.

The “performance bond” is executed in connection with the contract to secure fulfillment of all of the contractor’s obligations under the contract. There must also be, prior to signing of the contract, a **payment bond** on the part of the contractor for 100 percent of the contract price. The “payment bond” is executed in connection with the contract to assure payment as required by law of all persons supplying labor and materials in the execution of the work provided for in the contract.

INSURANCE

Communities undertaking construction projects with CDBG funds, including housing rehabilitation activities, must ensure that construction contractors purchase and maintain insurance until final acceptance of their work. The community must have evidence of this insurance at the time of executing any contract/agreement with the contractor or assisting in the execution of any contract/agreement between a contractor and homeowner. The insurance policy must have the following attributes:

- * It must protect the contractor, the community and the owner from all claims and liabilities for damages for bodily injury, including accidental death, and for property damage, which may arise from operations under the contract, whether such operation is by the contractor or any employee, **The amount of the insurance must be at least:**

Construction contracts other than housing rehabilitation:

- \$1,000,000 for any one person and for each accident in cases of liability for bodily injury and/or accidental death; and

- \$1,000,000 for any and all accidents in cases of liability for property damage.

Housing rehabilitation contracts:

- \$100,000 for bodily injury to anyone, and not less than \$300,000 for each occurrence

- \$50,000 per occurrence and \$100,000 aggregate for property damage

- \$100,000 for any one person and \$300,000 per occurrence for vehicular liability

The contractor must also maintain the following types of insurance:

- * Full worker compensation insurance coverage for all persons employed by the contractor to perform work on the project. The insurance must be in compliance with State of Maine requirements.
- * Bodily injury and contractor’s protective property damage (broad form), each including coverage for blasting explosion, and injury to, or destruction of wires, pipes, conduits and similar property, appurtenant apparatus, whether public or private and collapse of, or structural injury to, any building or structure, except those on which work under the contract is performed.

- * Bodily injury and property damage insurance covering the operation of all motor vehicles and equipment being operated in connection with project work, whether or not owned by the contractor.
- * Contractual liability insurance as described earlier.
- * Owner's protective liability insurance issued to the owner at the expense of the contractor.
- * Fire insurance included with all property damage insurance in an amount equal to the total bid price of all structures subject to fire damage.
- * Builders' "All Risk" insurance equal to or greater than the total amount.

All policies must designate the loss payee as the community and require that the community be notified in the event of any changes to the insurance policies. Contractors shall indemnify and hold harmless the U.S. Government, the State of Maine, the Owner and the grantee from liability for any injury or damage to persons or property resulting from the prosecution of work under a construction contract.

Please remember that if a bid goes out for eight (8) or more rehab or sewer hookup projects at one time, and one contractor is awarded 8 or more of these projects, Federal Labor Standards will apply. This will be true even if contracts are technically between the homeowner and contractor. Please refer to the Labor Standards section of this book for further information.

REQUEST FOR WAGE DETERMINATION

STATE OF MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

1. Project Information

Date:

Community		Contact Person:	
Grant Year:		Telephone:	
Grant Type:		Prior Determination #:	
Address:		Contract Dollar Value \$:	
		Proposed Advertising Date:	
State and Zip:		Proposed Bid Opening Date:	
County:			

Type of Work: Building _____ Residential _____ Highway _____ Heavy _____

2. Project Description

3. Check List for Crafts Needed

Asbestos Workers		Insulators		Power Equipment Operators	
Lathers		Sheet Metal Workers		Loader	
Boilermakers		Soft Floor Layers		Bulldozer	
Bricklayers		Drywall hangers & finishers		Grader	
Carpenters		Plasterers		Paver	
Cement Masons		Electricians		Crane	
Marble, tile & terrazzo		Glazier		Truck drivers (By Type)	
Painters		Ironworkers		Excavator	
Roofers		Laborers (by type)		Line Strippers	
Steamfitters		Plumbers		Guard rail erectors	
Drillers		Flaggers		Piledrivermen	
Blasters		Pipe layers		Backhoe	

Instructions for Completing Your Wage Determination Request

1. Project Information

1. Fill out all information completely in this section.
2. If an exact contract dollar amount is not available, give the best estimate possible.
3. If a prior determination number was issued, don't forget to list it, if not, enter N/A.
4. Check the type(s) of work the wage rates will apply to. This is important to assure correct rates. If more than one type applies, don't forget to check each. Use the following guide to determine the classification of your construction project.

Building Construction

Building construction generally is the construction of sheltered enclosures with walk-in access for the purpose of housing persons, machinery, equipment or supplies. It includes all construction of such structures, the installation of utilities, and the installation of equipment, both above and below grade.

Generally, for wage determination purposes, a project consists of all construction necessary to complete a facility regardless of the number of contracts involved so long as all contracts awarded are closely related in purpose, time and place. For example, demolition or site work preparatory to building construction is considered a part of the building project for wage determination purposes. When a project, such as a water and sewer treatment plant, includes construction items that by themselves would be otherwise classified, a multiple classification may be justified if the construction items are a substantial part of the project. However, a separate classification would not apply if such construction items were merely incidental to the total project to which they are closely related in function. For example, water and sewer line work, which is a part of a building project, would not generally be separately classified. When construction is "incidental" in function, 20% of project cost is used as a rough guide for determining when construction is also "incidental" in amount to the overall project level, as well as incidental grading, utilities and paving.

The following are examples of Building Construction in the CDBG program:

- Alterations and additions to buildings
- Apartment buildings over 4 stories
- Civic & Community Centers
- Commercial & industrial buildings
- Fire stations
- Water & sewage treatment plants (buildings only)

Residential Construction

Residential projects for Davis-Bacon purposes are those involving the construction, alteration, or repair of single-family houses or apartment buildings of no more than four stories in height. This includes all incidental items such as site work, parking areas, utilities, streets and sidewalks. Some examples are:

- Town or row houses
- Apartment buildings (4 stories or less)
- Single family houses
- Mobile home developments
- Multi-family housing

Heavy Construction

Heavy projects are those projects that are not properly classed as “buildings”, “highway”, or “residential.” Unlike these classifications, heavy construction is not a homogeneous classification. Because of its catchall nature, projects within the heavy classification may sometimes be distinguished based on their particular project characteristics, and separate schedules issued. Examples are:

- Dredging projects
- Water and sewer line projects
- Dams
- Demolition (non construction related)
- Drainage projects
- Electrification projects (outdoor)
- Flood control projects
- Land reclamation
- Marine Construction
- Pipe lines
- Pumping stations (prefab units - not buildings)
- Reservoirs
- Sewage collection and disposal lines
- Sewers (sanitary, storm, etc.)
- Shoreline maintenance
- Storage tanks
- Water mains
- Water supply lines (not incidental to building)
- Water & sewage treatment plants (other than buildings)
- Well

Highway Construction

Highway projects include the construction, alteration or repair of roads, streets, highways, runways and related areas not incidental to building or heavy construction. Examples are:

- Base courses
- Bituminous treatments
- Concrete pavement
- Excavation - embankment (for road construction)
- Fencing (highway)
- Guard Rails

- Highway signs
- Bridges
- Parking lots
- Resurfacing streets & highways
- Roadbeds
- Storm sewers (incidental to road construction)
- Street paving

2. Project Description

Give an accurate, detailed narrative of the proposed project. If the project is multifaceted, describe each specific section. Also, indicate what the projected use of the project will be. Attach an additional page if needed.

3. Check List for Crafts Needed

Check all crafts that will be needed for the completion of your project. If you're not sure, it is better to check it than be held up by having to request it later! Remember that the more information you supply to DECD, the smoother the process will be.

REMEMBER!

- **Submit your request at least 15 days prior to the proposed bid solicitation date.** This is essential to allow the necessary time for the request to go through the system.
- If your current determination looks as though it may run out prior to the contract award, submit another request immediately. The date of the contract award must predate the expiration date of the determination, or the determination is void.
- All requests for wage determinations should be sent to:

Daniel B. Stevenson, Labor Standards Compliance Officer	
Office of Community Development	
59 State House Station	E-mail: daniel.stevenson@state.me.us
111 Sewall Street, 3rd Floor	(207) 624-9813
Augusta, Maine 04333	(207) 287-8070 (fax)

Step Seven: Completing Your Contract Tables

The contract tables detail the amount, source, intended use and timing of funds to be spent to implement your project. The completed tables are part of your contract with OCD and the individual amounts can only be changed through contract modification or amendment process. The PDS assigned to your community will provide the appropriate contract tables and assist you in completing them.

Step Eight: Program Income Plan

Depending on the type of grant you receive, your project may generate program income at some future point. During the Project Development process, you must designate how such funds will be used, should they become available. This designation is called a “Program Income Plan” and is submitted with the other documents outlined in this handbook.

Policy Statement # 7 defines Program Income and outlines the requirements of a Program Income Plan.



Department
Of
Economic and Community Development
111 Sewall Street, 3rd Floor
59 Statehouse Station
Augusta, Maine 04333

POLICY STATEMENT #7

Subject: *Program Income, Program Income Plan and Post Close Out Reporting*

Revised: 02/00

I. Introduction

This Policy Statement defines terms and reporting requirements associated with CDBG generated income. It defines compliance measures associated with income generated as a result of your Community Development Block Grant activities. This policy assures that funds are used in a timely and consistent manner as required by federal and state regulations.

II. Policy

1. Definitions

Program Income: Program income is defined as gross income received that was generated from the use of CDBG funds as described further below and in Section 570.489(e) at 24 CFR part 570.

Program Income Plan: Developed by your community, the program income plan describes how program income will be managed and expended during and/or after the grant. Program income generated during an open grant is managed and expended according to a plan your community develops during the Phase II process. Program income can only be expended on eligible activities as defined by Title I of 24 CFR 570.

Open Grant: Any grant during the period between contract beginning date and conditional closeout.

Conditional Closeout: The point in your community's CDBG project when all program funds are expended (except those for your audit costs), monitoring findings have been resolved but your program goals have not yet been met and/or your audit (if necessary) is pending.

Final Closeout: Final closeout is granted after your audit (if necessary) is completed and approved, all program goals have been met, monitoring findings have been resolved and the Office of Community Development has approved the package.

2. Policy Statement

Program Income Received During the Grant Period: Your community must use Program income for specific activities identified in your Program Income Plan. Program income funds must be expended prior to drawing down current grant funds.

Program Income on Hand at the End of a Grant Period: Your community may return unexpended program income to the Office of Community Development or continue to expend it for those activities undertaken during the open grant period. Your Program Income Plan identifies how these funds are managed and expended.

Income Received AFTER the Grant Closeout up to \$24,999.99: Communities may continue to expend income received after the grant period ends or return it to the Office of Community Development. If you expect to receive and expend income up to \$24,999.99 per calendar year (Jan. – Dec.) you must spend it on Title I eligible activities, but no report on how funds are expended is required.

Program Income Received AFTER the Grant Closeout in EXCESS of \$24,999.99: Communities may continue to expend program income after the grant period ends. If you expect to generate and expend more than \$24,999.99 per calendar year (Jan. – Dec.), you must comply with all CDBG regulations and report how the funds were expended to the Office of Community Development. These funds should be treated as a new grant and must meet all Project Development Phase requirements. Your Annual Post-Grant Program Income Report must be submitted on or before January 31st for the previous calendar year.

REMEMBER!

If your community doesn't expect to exceed the \$24,999.99 limit BUT DOES, you must have complied with all CDBG regulations including environmental review, labor standards, etc. for all funds received and expended from \$0 on, and must comply with the Post-Grant Program Income Reporting requirements.

Communities receiving program income from more than one closed CDBG grant must aggregate this income to determine whether they are over the \$24,999 threshold.

III. Policy Requirements

The following is required under this Policy Statement:

1. Creation and Submission of a Program Income Plan:

The Program Income Plan outlines how revenue generated during or after a grant close out will be expended. You must submit a Program Income Plan during the Project Development Phase for all CDBG program awards.

2. Required Components of a Program Income Plan:

Your Program Income Plan must reflect the overall goals of your CDBG Program and have the following components:

- I. **Source of Program Income** -Identify any and all activities expected to generate revenue.
- II. **Estimated amount of income to be generated and anticipated timeframe** - For example, if you intend to create a micro-loan revolving fund, identify the businesses, the amounts you expect to be repaid and the anticipated timeframe for receiving repayments.
- III. **Uses of Program Income** – identify the activities on which the program income will be spent and determine how those funds will be distributed in a timely manner.
- IV. **Administration** – include a management plan detailing the process and responsible person for administering the plan. The Office of Community Development will determine the amount of program income to be used for administration on a case-by-case basis. In any event, the amount shall not exceed 10%.

3. Special Requirements

The following special requirements apply to program income generated by CDBG assistance to for-profit businesses:

Micro-loan Grants: Except for grantees who demonstrate demand for the use of program income, grantees will collect and return Micro-loan repayments to the Office of Community Development for the OCD Micro-loan Program.

Development Fund Grants: Except for grantees who demonstrate demand for the use of program income for the “same activity” that generated it, all Development Fund loan repayments must be returned to the State of Maine CDBG Development Fund Revolving Loan Fund. “Same activity” means utilizing funds to assist the business **originally** receiving CDBG monies.

Interim Finance Program and Regional Assistance Fund Program Income: The assignment of program income will be negotiated at the time of grant award.

Business Assistance and Economic Development Infrastructure: The assignment of program income will be negotiated at the time of grant award.

Disaster Recovery Initiative Program – All program income must be returned to the Office of Community Development

3. Reporting Requirements

Grantees are required to complete a post grant program income report annually. The report must cover the period January 1st through December 31st and be submitted to the Office of Community Development by January 31st of the following year. The report must contain documentation of:

**Source and Dates of Program Income received Uses of Program Income
and Dates of Expenditures Compliance with all CDBG Program regulations**

Step Nine: Developing Program Guidelines

For those communities creating micro-loan or housing rehabilitation programs, you must develop and submit program guidelines with your Project Development package. These guidelines will be reviewed by your project development specialist and approved with your other submissions.

Housing rehabilitation guidelines

When your community submitted its housing grant application, it proposed a set of housing issues it wanted to correct. This data was expressed in summary fashion. Now, as grant recipients, you must select those homes that you will rehabilitate with CDBG funds. The purpose of creating program guidelines is to lay a procedure and required documentation that will be completed by each applicant for housing rehabilitation services.

The guidelines will also create a way of prioritizing which homes are done first. Your guidelines should “take their cue” from the problems your community described in its application and focus on those problems that were identified as the most severe facing your residents.

To assist you in the creation of these guidelines, all Housing Assistance grantees receive a “Housing Rehabilitation Manual” with sample forms and language that can be amended and used as your community’s program guidelines.

Micro-loan guidelines

The CDBG Micro-loan Program exists to assist towns that have identified a shortage of capital opportunities for businesses that will create or retain jobs for low-to-moderate income people. Your community to meet the needs identified in your Micro-loan application can tailor the actual lending practices of this program.

To assist communities implementing micro-loan programs, all Micro-loan Program applicants receive a “Guidelines for Micro-loan Program Manual”. It contains mandatory application forms and information on how to write guidelines for your lending program.

Step Ten: Organizing your CDBG files

As your community implements its project, you will create and collect a number of important documents – your environmental review record, Project Development materials, payrolls, expenditure records etc. These documents should be kept in a safe place in your office because they are your records of compliance with CDBG regulations.

When your community has expended approximately 50% of your grant funding, your project development specialist will “monitor” your project. The monitoring visit is designed to ensure that the conduct of your project is in accordance with all applicable CDBG regulations and will examine your files as a record of this compliance.

To help communities organize their files, OCD staff has created a “Community Assistance Visit” checklist. This checklist outlines all the documents that should be kept in your town files in preparation for your monitoring visit. The checklist follows this page.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

COMMUNITY ASSISTANCE VISIT

Community: _____

Reviewer: _____

Grant Type: _____

Program Year: _____

Date of Visit: _____

The following is an outline of the OCD suggested filing system for CDBG Programs. The outline consists of file listings that apply to all programs; some may not apply to your particular program. The outline is consistent with items and/or areas that an OCD Program Development Specialist will be reviewing during a monitoring visit. Please note that CDBG Program files must be maintained in an area that can be locked. Program files must be retained for a period of three years after the grant closeout. Check marks indicate information that must be maintained by the municipality.

GENERAL PROGRAM FILES

A. CDBG Program Application Files	YES	NO
Copy of the Phase I CDBG Program Application	()	()
Copy of the Project Development Package with Project Development checklist	()	()
Copy of public hearing notice with minutes	()	()
Correspondence pertaining to the Phase I or Project Development Application	()	()
Survey and benefit data collected in support of the application	()	()
Other information related to the Phase I or Project Development Application	()	()
B. CDBG Contract File		
Letter from DECD indicating application approval	()	()
Contract document between DECD and the Town/City	()	()
Documentation of satisfying any special conditions of the contract	()	()
Documentation of requests and approvals of contract amendments	()	()
Correspondence pertaining to the contract	()	()
C. DECD Program Monitoring File		
Correspondence from DECD providing notice of monitoring	()	()
Monitoring Reports	()	()
Responses to any monitoring observations or findings	()	()
Correspondences pertaining to the monitoring process	()	()
D. Program Audit File		
Copy of interim audit report	()	()
Copy of final audit report	()	()
Documentation of clearance of noted audit exceptions	()	()
Notification of DECD audit review	()	()
Correspondence pertaining to the audit	()	()
E. CDBG Program Grant Close-Out File		
CDBG Program closeout package	()	()
DECD Certification of Completion notice	()	()
F. General Correspondence File		
Incoming and outgoing correspondence not specific to any other established program file	()	()
Copy of second public hearing notice and minutes, to be held during progress of activities	()	()

G. CDBG Program Operation File	YES	NO
DECD Administrator's Guide	()	()
Local program guidelines with a copy of all related program forms	()	()
Citizen participation plan	()	()
Citizen complaint policy	()	()
Conflict of Interest policy	()	()
List of members, authorization documents, by-laws and minutes of meetings of the Community Development Advisory Committee	()	()

FINANCIAL MANAGEMENT FILES

A. CDBG Grant Contract Information File

Program contract budget	()	()
Documentation of designation of depository	()	()
Signature authorization form for report and payment request forms	()	()
Quarterly reports with back-up documentation	()	()
Request for Payment forms with back-up documentation	()	()
Record of program commitments (match/leverage) with back up documentation	()	()
Program Income Plan with budget	()	()
Program activity documentation (account books, records, ledgers, printouts, etc.)	()	()

B. Source Documentation Files

Paid invoices	()	()
Pending invoices	()	()
Other source documents (purchase orders, warrants, etc.)	()	()
Program income receipts	()	()
Time sheets for personnel paid with CDBG funds	()	()

C. Bank Records File

CDBG Program bank account statements	()	()
Check register	()	()
Canceled checks	()	()
Program deposit slips	()	()
Other relevant bank records	()	()
Correspondence pertaining to CDBG bank activities	()	()

D. Property Management File

Property inventory and management register (date of purchase, amount, Serial #, use, location, etc.)	()	()
Documentation for disposition of CDBG purchased property	()	()

E. Procurement File

Copy of municipal procurement policy	()	()
Copy of CDBG program procurement policies	()	()

PROGRAM COMPLIANCE FILES

A. Civil Rights File	YES	NO
Beneficiary Profile	()	()
Contractor List	()	()
Women and minority owned contractor list	()	()
Municipal adopted Equal Employment Opportunity Policy	()	()
CDBG employee profile	()	()
Section 504 self-evaluation	()	()
Notice of nondiscrimination	()	()
Fair Housing Resolution	()	()
Fair Housing Proclamation	()	()
Fair Housing Addendum	()	()
Section 3 Affirmative Action Plans	()	()
Bidder certification on Section 3 segregated facilities and Section 3 Preference (contractors and subcontractors)	()	()
Executive Order 11246 and EEO Certifications for contractors and subcontractors	()	()
Proposed subcontract breakdown	()	()
Job creation/retention benefit data system	()	()
Public service benefit data system	()	()
Documentation of using Fair Housing language or logos in all housing activity promotional material	()	()
(The above items are covered in the Civil Rights Technical Assistance Package section of your Administrator's Guide, sample forms are included for your review and adaptation.)		

Benefit data system	()	()
Project occupancy list	()	()

B. Environmental Review Record Files

Program definition including a list of project activities	()	()
Environmental Review Statement (exempt, converted to exempt, etc.)	()	()
Checklists	()	()
Compliance documentation (including permits)	()	()
Published notices (including dissemination list for FONSI)	()	()
Request for release of funds (RROF/Certification)	()	()
Objections and Responses	()	()
DECD release letter (including verification of first date for obligating funds)	()	()
State List and Updates	()	()

PROGRAM ACTIVITY MANAGEMENT

A. General Activity Management File

Program activity summary statement	()	()
Activity budget sheets with cost estimates and time line	()	()
Written activity management statement indicating personnel associated with the program and their respective responsibilities	()	()
Contractor cost and activity vs. budget tracking system	()	()

	YES	NO
Other related project activity materials	()	()
Contractor application file with proof of liability and workmen's compensation insurance	()	()
B. Activity Contract File		
Applicable to this Program	()	()
Bid documents (ads, RFP, plans/specifications etc.)	()	()
Summary of bids received	()	()
Notice of award with supporting documentation	()	()
Contract and notice to proceed	()	()
Contract change orders with supporting documentation	()	()
List of subcontractors	()	()
Contractor payment record (invoices, inspections, payment authorization forms, copy of checks, signed receipts, etc.)	()	()
Contract progress inspection reports	()	()
Section 3 and Affirmative Action, EEO Documentation	()	()
Correspondence with the contractor about activity being completed	()	()
C. Labor Standards Files		
Applicable to this Program	()	()
Request for wage determination	()	()
Wage determination from the DECD	()	()
Labor Standards Certifications for contractors and subcontractors	()	()
Weekly wage reports for each contractor and associated activity	()	()
Documentation of wage verification and compliance and employee interviews	()	()
Notifications of violations with documentation of restitution	()	()
Correspondence relating to wage rates and compliance actions	()	()
D. Acquisition/Relocation Files		
Applicable to this Program	()	()
ACQUISITION:		
Copy of Notice of Interest in Acquiring	()	()
Copy of Invitation to Owner to Accompany Appraiser	()	()
Appraisal report and Review Appraisal Report	()	()
Copy of Establishment of Just Compensation & Summary Statement	()	()
Copy of Written Offer to Purchase	()	()
Updates of the Offer of Just Compensation	()	()
Purchase/Sale agreement	()	()
Statement of settlement costs	()	()
Receipt of purchase	()	()
Waiver, if donation	()	()
If process terminated, copy of Notice of Intent Not to Acquire	()	()
RELOCATION:		
Copy of letter of explanation of process and obligations of the acquiring agency	()	()
Copy of Site Occupant Record Residential and/or Nonresidential	()	()
Worksheet identifying comparable replacement dwellings and housing payments	()	()

Copy of notice to owner-occupant/tenant/business explaining eligibility and payment	() ()
Copy of Guideform Notice of Eligibility for Relocation Assistance-Residential Tenant	() ()
Copy of Guideform Notice of Eligibility for Relocation Assistance-Business	() ()
Copy of Use-Occupancy Agreement, (if tenant is to remain after purchase)	() ()
Copies of referrals to replacement dwellings	() ()
Copy of other advisory efforts	() ()
Copy of 90-Day Notice to Vacate, if issued	() ()
Copy of Letter to Relocatee Moving to a Substandard Unit, if applic.	() ()
Replacement dwelling inspection report	() ()
Copies of approved claim forms and related documents	() ()
Copy of Letter Acknowledging Services and Payments Made	() ()
List of all sources of income with verifying documentation	() ()
Documentation of ownership	() ()
Before acquisition photographs of the property	() ()
Floor Plan of the property (showing rooms, room type and their square feet)	() ()

E. Housing Rehabilitation Activity Files

Applicable to this Program	() ()
Property owner application	() ()
Tenant applications	() ()
Documentation of income verifications for program beneficiaries	() ()
Documentation of approval for program assistance	() ()
Project specifications to include compliance with applicable codes, energy standards, smoke detectors and cost estimate	() ()
Notice of tenant not to be displaced	() ()
Documentation of owner and/or tenants receiving lead-based paint hazard notification with signatures	() ()
Requests for bids	() ()
Contractor bid proposals (at least two for each activity)	() ()
Bid summary sheet	() ()
Notification of award to all bidders	() ()
Signed agreement allowing the recapture of all or a part of the CDBG assistance for grant programs	() ()
Rent regulatory agreement for rental units	() ()
Executed mortgage deed and note with related documents as truth in lending etc.	() ()
Contract between the owner and contractor for the specified work	() ()
Documentation of compliance with Section 3, Davis Bacon etc. where applicable	() ()
Documentation of pre-construction meeting with the owner, contractor and program representative	() ()
Change orders completed in accordance with program policy	() ()
Progress inspection form	() ()
Partial payment invoices with supporting documentation	() ()
Documentation of receipt of partial payments	() ()
Contractor certification of completion	() ()

Contractor certification of release of liens	()	()
Contractor warranty documentation	()	()
Documentation of program personnel final inspection	()	()
Documentation of final acceptance and certification of completion by the owner	()	()

F. Micro-Loan Activity Files YES NO

Applicable to this Program	()	()
Written program guidelines	()	()
Micro-Loan Review Committee certification by the OCD	()	()
Program Income tracking system	()	()
Delinquent payment policy	()	()
Participant application	()	()
Documentation of business eligibility	()	()
Description of the use for the Micro-Loan funds	()	()
Cost estimates for the use of the loan funds	()	()
Documentation of financial analysis of the business	()	()
Documentation of job creation and/or retention	()	()
Documentation of need for the CDBG Micro-Loan funding	()	()
Documentation of job creation/retention monitoring by the grantee	()	()
Current job creation benefit data system	()	()

G. Public Service Activity Files

Applicable to this Program	()	()
Documentation of expansion or an existing program or establishment of a new program	()	()
Documentation of how program will continue after DBG funding ends	()	()
Documentation of how grantee monitors the program progress	()	()
Documentation of beneficiary eligibility	()	()
Documentation of meeting program benefit requirements	()	()
Formal agreement between the municipality and the service provided	()	()

HUD EQUAL HOUSING OPPORTUNITY
SLOGAN AND LOGO



**EQUAL HOUSING
OPPORTUNITY**



**EQUAL HOUSING
OPPORTUNITY**



**EQUAL HOUSING
OPPORTUNITY**



**EQUAL HOUSING
OPPORTUNITY**



**EQUAL HOUSING
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